

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

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WRIT PETITION NO : 552 of 2003

Between:

- 1 T.Umamaheshwara Reddy S/o Rami Reddy
Penugonda Village & Mandal, West Godavari District.
- 2 T.Bapi Reddy S/o Rami Reddy
Penugonda Village & Mandal, West Godavari District.
- 3 T.Padmanabha Reddy S/o Rami Reddy
Penugonda Village & Mandal, West Godavari District.
- 4 T.Venkata Reddy S/o Rami Reddy
Penugonda Village & Mandal, West Godavari District.
- 5 K.Venkata Rao S/o Gopalam
Penugonda Village & Mandal, West Godavari District.
- 6 T.Ramasatyam Reddy S/o Siva Rao
Penugonda Village & Mandal, West Godavari District.
- 7 T.V.Satyanarayana Reddy S/o Gangi Reddy
Penugonda Village & Mandal, West Godavari District.
- 8 B.Ramakrishna S/o Suryanarayana
Penugonda Village & Mandal, West Godavari District.
- 9 U.Panasaiah S/o Suryanarayana
Penugonda Village & Mandal, West Godavari District.
- 10 Ch.Simhachalam S/o Appalaswamy
Penugonda Village & Mandal, West Godavari District.
- 11 B.Rambabu S/o Rami Reddy
Penugonda Village & Mandal, West Godavari District.
- 12 B.Satya Saikrishna S/o Rami Reddy
Penugonda Village & Mandal, West Godavari District.

...PETITIONERS

AND

- 1 The District Collector
West Godavari District, Eluru.
- 2 The Principal Secretary., Irrigation & CAD Department.,
Hyderabad.
- 3 The Superintending Engineer., Irrigation Circle,
Godavari Division, Eluru.
- 4 The Executive Engineer., Irrigaion Circle.,
Settipeta., Nididavolu Mandal,
W.G.District.
- 5 The Assistant Engineer., Irrigation Section.,
Maruteru, Penugonda Mandal, West Godavari Dist.
- 6 The Mandal Revenue Officer.,
Penugonda Mandal, Penugonda,
West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent authorities in not permitting the petitioners to cultivate and raise rabi crop for the Fasali 1412 in their lands an extent of Ac.64-40 cents, situated between the Achanta Old Channel- Yellappa Channel of Penugonda Village, Penugonda Mandal, West Godavari District, is illegal, arbitrary, unconstitutional and violative of Art.14 and 21 of the Constitution of India, apart from violative of Act.15 of 1984 & Act.11 of 1997, and consequently direct the respondents to grant permission to the petitioners to raise rabi crop in their lands for Fasali 1412, by supply the water through the pipes which are connected to the above Channels of Achanta Old Channel- Yellappa Channel of Penugonda Village & Mandal, West Godavari District forth-with.

Counsel for the Petitioner : MR.G.KRISHNA MURTHY

Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

The Court made the following :

ORDER:

The learned counsel for the petitioners seeks permission for withdrawing the writ petition. Permission is granted. The writ petition is, accordingly, dismissed as withdrawn. No order as to costs.

(V.ESWARAIAH, J.)

1.4.2005

Note:

Issue copy within one week.

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To

- 1 The District Collector
West Godavari District, Eluru.
- 2 The Principal Secretary., Irrigation & CAD Department.,
Hyderabad.
- 3 The Superintending Engineer., Irrigation Circle,
Godavari Division, Eluru.
- 4 The Executive Engineer., Irrigaion Circle.,
Settipeta., Nididavolu Mandal,
W.G.District.
- 5 The Assistant Engineer., Irrigation Section.,
Maruteru, Penugonda Mandal, West Godavari Dist.
- 6 The Mandal Revenue Officer.,
Penugonda Mandal, Penugonda,
West Godavari District.
7. 2 copies to the Govt. Pleader for Irrigation & CAD, High Court
buildings, Hyderabad.
8. 2 C.D. copies.